

REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-40 in the application. In view of an election requirement and a subsequent restriction requirement, Claims 8-16 were pending in the application prior to this amendment. Presently the Applicants have amended Claims 8, 10-12, 15 and 16 and have canceled Claim 9. Accordingly, Claims 8, 10-16 are currently pending in the application.

I. Formal Matters and Objections

The Examiner has objected to the Claims 15 and 16 as containing informalities. In response, the Applicants have amended these claims, as suggested by the Examiner, to correct these informalities.

II. Rejection of Claim 12 under 35 U.S.C. §112

This claim is rejected under 35 U.S.C. §112, second paragraph as being indefinite because the claim recites a layer having a dopant concentration greater than a dopant concentration of the same layer. In response thereto, the Applicants have amended this claim to correct this inadvertent error. In addition, the Applicants have made other amendments to this claim to make it consistent with the teachings of the specification.

III. Rejection of Claims 8, 15 and 16 under 35 U.S.C. §102

These claims are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,378,259 to Hasegawa, et al (Hasegawa). This rejection is now moot in view of the amendment above for the reasons stated in the following paragraph.

IV. Allowable Subject Matter

The Examiner has indicated that Claims 9-11, 13 and 14 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. In response, the Applicants have amended Claim 8 by incorporating the elements of Claim 9 therein, as suggested by the Examiner. Accordingly, Claim 8 and all claims directly or indirectly dependent thereon, are now allowable over the art of record, as indicated by the Examiner.

IV. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 8, 10-16.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Charles W. Gaines".

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